



CITY OF SIERRA MADRE
CITY COUNCIL REGULAR MEETING MINUTES

SIERRA MADRE CITY COUNCIL
SUCCESSOR AGENCY AND
PUBLIC FINANCE AUTHORITY

Tuesday, May 12, 2020 - 6:30 pm

Sierra Madre City Hall Council Chambers
232 W. Sierra Madre Boulevard, Sierra Madre, CA 91024

**DUE TO THE COVID-19 PANDEMIC AND CA GOVERNOR'S STAY AT HOME ORDER,
THE CITY COUNCIL MEETING WAS CONDUCTED VIA ZOOM.**

**The meeting was streamed live on the City's Website at www.cityofsierramadre.com
and broadcast on Government Access Channel 3 (Spectrum).**

**The public was provided with the opportunity to make comments by (1) emailing
comments to PublicComment@cityofsierramadre.com by 6:00 p.m. on the day of the
meeting or (2) calling into the meeting to provide their comments.**

CALL TO ORDER/ROLL CALL MEMBERS OF THE CITY COUNCIL

Mayor John Capoccia called the meeting to order at 6:32 p.m. City Clerk Sue Spears called the roll.

Present: Mayor John Capoccia, Mayor Pro Tem Rachele Arizmendi, and Council Members Gene Goss and John Harabedian

Absent: None

Also Present: Gabe Engeland, City Manager
Aleks Giragosian, Deputy City Attorney
Laura Aguilar, Assistant City Clerk/Administrative Services Manager
James Carlson, Management Analyst
Christian Delgado, Senior Network Administrator
Oscar Milan, IT Manager
Sue Spears, City Clerk

PLEDGE OF ALLEGIANCE AND INSPIRATION

Council Member Goss led the Pledge of Allegiance, described his experiences as he has been walking through Sierra Madre over the last eight weeks, and shared that this is a good time to view beautiful garden roses in Sierra Madre.

APPROVAL OF MEETING AGENDA

Mayor Capoccia asked for a motion to approve the agenda.

Council Member Harabedian moved to approve the agenda as presented.

Mayor Pro Tem Arizmendi seconded the motion.

City Clerk Spears called the names of each City Council Member to determine their individual vote on the meeting agenda.

Ayes: Mayor John Capoccia, Mayor Pro Tem Rachele Arizmendi, and Council Members Gene Goss and John Harabedian

Noes: None

Absent: None

Abstain: None

The motion to approve the agenda as presented was passed by a unanimous vote.

APPROVAL OF MINUTES

Mayor Capoccia asked for the approval of the Minutes of the Regular Council Meeting of April 28, 2020.

Mayor Pro Tem Arizmendi moved to approve the Minutes of the Regular Council Meeting of April 28, 2020, as presented.

Council Member Harabedian seconded the motion.

City Clerk Spears called the names of each City Council Member to determine their individual vote on the minutes.

Ayes: Mayor John Capoccia, Mayor Pro Tem Rachelle Arizmendi, and Council Members Gene Goss and John Harabedian
Noes: None
Absent: None
Abstain: None

The motion to approve the Minutes of the Regular Council Meeting of April 28, 2020, as presented was passed by a unanimous vote.

MAYOR AND CITY COUNCIL REPORTS

Mayor John Capoccia (1) reported that Sierra Madre has had six Coronavirus cases to date, which is the 2nd lowest number of cases for cities in LA County, (2) thanked Sierra Madre residents for following the Stay-at-Home Order to keep Sierra Madre safe, and (3) encouraged everyone to keep up the good work.

Mayor Pro Tem Rachelle Arizmendi reported that the Community Services Commission met regarding the Kersting Court Refresh design and it is on track.

Council Member Gene Goss did not make a report.

Council Member John Harabedian did not make a report.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mayor Capoccia opened the meeting for Public Comment on items not on the agenda and the Consent Calendar item. The following person called into the meeting and also sent in an Email comment.

- Edward Ungrue, Sierra Fusion Restaurant, Sierra Madre, asked about his path to constructing a tent in the parking lot west of the *Sierra Fusion Restaurant* building to accommodate additional customers when restaurants are allowed to reopen.

Mayor Capoccia asked if there were any other public comments on items not on the agenda had been submitted. No other emails or call-in comments were received and Mayor Capoccia closed Public Comment on items not on the agenda and the Consent Calendar item..

At Mayor Capocia's request, City Manager Engeland said that he will be meeting with the Sierra Madre Chamber of Commerce next week to discuss the City grant and loan programs for businesses and to address business owners' concerns.

AGENDA ACTION ITEMS:

1. CONSENT CALENDAR

City Clerk Spears gave the following reports under the Consent Calendar:

- (a) ADOPTION OF RESOLUTION 20-24 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS - Recommendation that the City Council of the City of Sierra Madre approve payment of City Warrants in the aggregate amount of \$101,561.92; Sierra Madre Library Warrants in the aggregate amount of \$8,794.71; and Payroll Transfer in the aggregate amount of \$306,594.79; for the fiscal year ending June 30, 2020.

Mayor Capoccia asked if any Council Members had questions on the Consent Item 1a. No questions were asked and Mayor Capoccia brought the matter back to the City Council for a motion.

Council Member Harabedian made a motion to approve Consent Item 1a as presented.

Mayor Pro Tem Arizmendi seconded the motion.

City Clerk Spears called the names of each City Council Member to determine their individual vote on the Consent Item.

Ayes: Mayor John Capoccia, Mayor Pro Tem Rachele Arizmendi, and Council Members Gene Goss and John Harabedian
Noes: None
Absent: None
Abstain: None

The motion to approve Consent Item 1a as presented was passed by a unanimous vote.

2. DISCUSSION - CONSIDERATION OF RESOLUTION NO. 20-22 CALLING FOR AND GIVING NOTICE OF THE SUBMISSION TO THE VOTERS OF AN ORDINANCE TO CONVERT THE ELECTIVE OFFICE OF CITY CLERK TO AN APPOINTIVE OFFICE TO BE PLACED ON THE BALLOT FOR THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION

Assistant City Attorney Giragosian reported on this item with the recommendation that the City Council approve Resolution No. 20-22 calling for and giving notice of the submission to the voters of an ordinance to convert the currently elective office of City Clerk to an appointive office to be placed on the ballot for the November 3, 2020 General Municipal Election.

Mayor Capoccia asked if any Council Members had questions on this item. No questions were asked.

Mayor Capoccia opened this item for Public Comment. No call-in or email comments were received and Mayor Capoccia closed Public Comment on this item.

Mayor Capoccia asked City Clerk Spears if she would like to speak about the issue. City Clerk Spears' comments were as follows:

- *"I was appointed by the City Council to serve as Sierra Madre's City Clerk in February 2018 after the previous City Clerk duly elected in April 2016 resigned in January 2018 after serving less than two years of a four-year term.*
- *Currently, the duties of the Sierra Madre City Clerk are purely ceremonial and limited to attending the City Council Meetings twice a month, writing the City Council meeting minutes, and signing City Council approved Resolutions and Ordinances.*
- *The other more complex legal and technical duties performed by the Office of the City Clerk includes maintenance of public records, responding to Public Records Act Requests, overseeing the local election process, monitoring of Form 700 conflict of interest statement submissions, Brown Act training and monitoring, and assisting in the development of departmental policies.*
- *The legal and technical duties performed by the Office of the City Clerk requires that the person be fully trained and work full-time for the City.*
- *The duties of the Office of the City Clerk are currently completed by a full-time City employee who has gone through extensive technical training and ongoing in-service updates, as the laws change on a regular basis.*
- *To my knowledge, the City of Arcadia is the only city in the San Gabriel Valley in which the elected City Clerk's duties are purely ceremonial. The remaining cities have a City Clerk who performs the job on a full-time basis.*
- *I fully support this proposal and feel that the City would be better served by having a full-time appointed City Clerk who is a City employee to make sure that the City is in compliance with all of the legal requirements and technicalities of the job, for which failure to comply could result in lawsuits against the City.*
- *I am not doing the City Clerk job for the \$3,000 annual stipend and do not view this recommendation as a negative reflection on my service as City Clerk for the last 2 ¼ years as your appointed City Clerk.*
- *I fully support this resolution because it is in the best interest of the City."*

Mayor brought the matter back to the City Council for discussion. City Council discussion occurred and there was agreement with City Clerk Spears' comments. Mayor Capoccia said that (a) in the last eight elections for City Clerk (8 x 4 year terms = 32 years), the candidate for City Clerk has run

unopposed, demonstrating a lack of interest among residents to serve in that capacity and a lack of need to be accountable to the voters, (b) having a City Clerk who is accountable to the elected officials and the City is the current trend among CA cities, and (c) this is the right thing to do for the long term health of the City.

Mayor Pro Tem Arizmendi made a motion to approve Resolution 20-22 as presented.

Council Member Goss seconded the motion.

City Clerk Spears called the names of each City Council Member to determine their individual vote on the motion.

Ayes: Mayor John Capoccia, Mayor Pro Tem Rachele Arizmendi, and Council Members Gene Goss and John Harabedian
Noes: None
Absent: None
Abstain: None

The motion to approve Resolution 20-22 as presented was passed by a unanimous vote.

3. **DISCUSSION — CONSIDERATION OF RESOLUTION 20-25: A RESOLUTION ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020**

RESOLUTION 20-26: A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY OF SIERRA MADRE RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020

RESOLUTION 20-27: A RESOLUTION PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS

RESOLUTION 20-28: A RESOLUTION AUTHORIZING CERTAIN COUNCIL MEMBERS TO SUBMIT ARGUMENTS REGARDING A MEASURE TO CONVERT THE ELECTIVE OFFICE OF CITY CLERK TO AN APPOINTIVE OFFICE

Assistant City Clerk Aguilar reported on this item with the recommendation that the City Council adopt a number of Resolutions in preparation of the election to be held on Tuesday, November 3, 2020 as follows: Resolution 20-25, Resolution 20-26, Resolution 20-27, and Resolution 20-28. As noted in the Staff Report dated 5-12-2020, there are no financial impacts associated with the adoption of the various resolutions, other than Staff and City Attorney time.

Mayor Capoccia asked if any Council Members had questions on this item. . In response to Council Member questions, Asst. City Manager Aguilar said that (1) the nomination period for elected officials to be on the ballot for the November 3, 2020 General Municipal Election is July 13 – August 5, 2020 and (2) if the ordinance to convert the City Clerk to an appointed position passes on November 3, 2020, that would nullify the elected City Clerk.

Mayor Capoccia opened this item for Public Comment. No email or call-in comments were received regarding this item so Mayor Capoccia closed Public Comment and brought the matter back to the City Council for discussion.

Discussion took place and there was consensus to approve the resolutions as presented.

Council Member Harabedian made a motion to Resolution 20-25 as presented, Resolution 20-26 as presented, Resolution 20-27 as presented, and Resolution 20-28 as presented.

Council Member Goss seconded the motion.

City Clerk Spears called the names of each City Council Member to determine their individual vote on the motion.

Ayes: Mayor John Capoccia, Mayor Pro Tem Rachele Arizmendi, and Council Members Gene Goss and John Harabedian
Noes: None
Absent: None
Abstain: None

The motion to approve the following resolutions as presented was passed by a unanimous vote: Resolution 20-25, Resolution 20-26, Resolution 20-27, and Resolution 20-28.

4. DISCUSSION – DISCUSSION OF VARIOUS ORDERS AND REGULATIONS TO ADDRESS COVID-19 AND THE STATE’S PROPOSED PLAN TO REOPEN THE STATE

Assistant City Attorney Giragosian reported on this item, including a review of the “Timeline of State and Local Actions in Response to Covid-19”, with the recommendation that the City Council discuss the various orders and regulations to address COVID-19 and the State’s proposed plan to reopen the State and provide direction to staff regarding the City’s response.

Per the Staff Report dated 5-12-2020, the CA State Department of Public Heal published on 5-4-2020 the “Update on California’s Pandemic Roadmap” outlining a 4-stage process to reopen the State as follows:

<p><u>Stage 1 – Safety and Preparedness</u></p> <ul style="list-style-type: none">• Making the essential workforce environment as safe as possible.• Increasing testing, contact tracing, personal protective equipment, and hospital surge capacity.• Preparing sector-by-sector guidelines for expanded workforce.
<p><u>Stage 2 – Lower Risk Workplaces</u></p> <ul style="list-style-type: none">• Creating opportunities for lower risk sectors to adopt and reopen.• Expanding workforce safety net.• Addressing issues regarding schools and childcare facilities.
<p><u>Stage 3 – Higher Risk Workplaces</u></p> <ul style="list-style-type: none">• Creating opportunities for higher risk sectors, like personal care facilities, entertainment venues, and in-person religious services, to adapt and reopen.
<p><u>Stage 4 – End of Stay-At-Home Order</u></p> <ul style="list-style-type: none">• Returning to expanded workforce in highest risk workplaces like concerts, convention centers, and live audience sports.

Mayor Capoccia asked if any Council Members had questions on this item. Assistant City Attorney Giragosian and City Attorney Engeland responded to City Council Member questions.

Mayor Capoccia opened this item for Public Comment. No call-in or Email comments were received regarding the item so Mayor Capoccia closed Public Comment and brought the matter back to the City Council for discussion.

City Council discussion occurred. The Council Members complimented City Manager Engeland for being proactive in moving forward to help Sierra Madre businesses. No action was taken.

5. DISCUSSION - REPORT OUT FROM THE CALIFORNIA MAYORS COALITION

City Manager Engeland reported on this item with the recommendation that the City Council discuss the request from the California Mayors Coalition and provide staff with direction. Per the Staff Report dated 5-12-2020, the California Mayors Coalition sent a letter dated May 1, 2020 to California Governor Gavin Newsom asking that he take certain actions and is requesting that cities pass a resolution in support of these actions.

<p>The California Mayors Coalition is asking CA Governor Newsom to take the following actions:</p> <ul style="list-style-type: none">• <u>CALPERS</u> – The Governor needs to mandate that CALPERS immediately freeze the current discount rate for two years.• <u>COVID-19 Testing</u> – The Governor should mandate free, widely available testing across CA’s 58 counties immediately.• <u>Federal Funding Allocation</u> - \$15 billion in Federal COVID disaster relief funding will come to California. A portion of that funding must be allocated to cities on a per capita basis.• <u>Jobs</u> - Workforce development programs and increased economic development funding must be a priority to put Californians back to work.• <u>Sales Tax Reprieve</u> – The State government should advance sales tax funding that would have been collected by local governments over the next 12 months to protect cities from insolvency

because of lack of sales tax; one of the two main sources of city revenue.

Mayor Capoccia asked if any Council Members had questions on this item. Mayor Capoccia responded to Council Member questions.

Mayor Capoccia opened this item for Public Comment. No email or call-in communications were received regarding this item so Mayor Capoccia closed Public Comment and brought the matter back to the City Council for discussion.

Discussion occurred and there was consensus to support the request by the California Mayors Coalition to send a letter to CA Governor Newsom supporting the requests made by the California Mayors Coalition. Staff was provided with direction to prepare the letter to Governor Newsom for signing and mailing.

NEW ITEMS PLACED FOR FUTURE AGENDAS:

Mayor Capoccia asked the Council Members if there are any new items for future meeting agendas. Council Member Harabedian requested that the City Council discuss converting the office of the City Treasurer from an elected office to an appointed position.

ADJOURNMENT:

Mayor Capoccia asked for a motion to adjourn.

Mayor Pro Tem Arizmendi made a motion to adjourn the meeting.

The motion was seconded by Council Member Goss.

Ayes: Mayor John Capoccia, Mayor Pro Tem Rachelle Arizmendi, and Council Members Gene Goss and John Harabedian

Noes: None

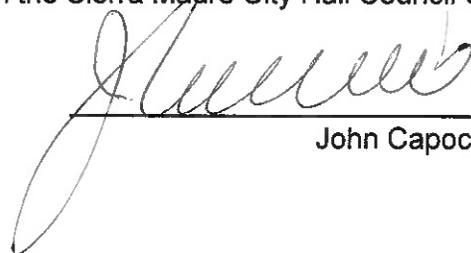
Absent: None

The motion to adjourn was passed by a unanimous vote.

THIS SIERRA MADRE CITY COUNCIL REGULAR MEETING WAS ADJOURNED at 7:48 p.m. to a Regular Meeting to be held on Tuesday, May 26, 2020, in the Sierra Madre City Hall Council Chambers.

Minutes taken and prepared by:


Sue Spears, City Clerk


John Capoccia, Mayor